

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 10-0197
ELECTRONICALLY
FILED

v.

DONNA SHEBETICH,

Defendant/Petitioner.

MEMORANDUM ORDER RE: DEFENDANT'S MOTION FOR RECONSIDERATION
(DOC. NO. 73)

Defendant was sentenced by this Court to a term of imprisonment of 72 months to be followed by a 5 year term of supervised release for false entry in bank records by officer, director, agent, or employee in violation of 18 U.S.C. § 1005. Defendant pled guilty to this crime pursuant to a plea agreement that contained a waiver of appellate rights. Defendant knowingly and voluntarily agreed to waive her appellate rights as outlined in the plea agreement during her change of plea hearing. The applicable advisory guideline range, as set forth in the 2010 edition of the Guidelines Manual, was 121 to 151 months imprisonment.

Presently before this Court is Defendant's *Pro Se* Motion for Reconsideration, in which Defendant moves this Court to order that she be allowed to serve the remainder of her sentence (approximately 30 months) in a halfway house or while on home confinement. Doc. No. 73. This is the first time Defendant has raised this issue to the Court. Defendant's Motion is based upon the alleged burden that her incarceration has placed on her loved ones.

The Court is aware that incarceration affects not only the individual serving time, but also the individual's family and friends. Incarceration can also cause difficulty for the individual in terms of loss of income and complications with property and other assets. Unfortunately for this

Defendant, her incarceration has caused complications in her life and placed additional burdens on her loved ones. This situation was caused by her repeated criminal actions, not by this Court. A sentence of 72 months imprisonment, with no provisions for a halfway house or home confinement, reflects this Defendant's offense conduct and her personal characteristics. As repeatedly stated in previous Memorandum Orders, Defendant has waived her right to contest this sentence. Doc. Nos. 61, 70, 72. Even if the Court had jurisdiction to reconsider Defendant's sentence, the Court continues to believe that this sentence is appropriate and would decline to modify the sentence as requested, especially in light of Defendant's already substantially reduced sentence. Therefore, the following Order is entered:

AND NOW, this 21st day of August, 2014, IT IS HEREBY ORDERED THAT *Pro Se* Defendant's Motion for Reconsideration (Doc. No. 73) is **DENIED**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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